

Notice of Allowability

Application No.

10/030,932

Examiner

Thomas H. Parsons

Applicant(s)

GOSSELINK ET AL.

Art Unit

1745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 14 January 2005.
2. ☒ The allowed claim(s) is/are 34-98.
3. ☒ The drawings filed on 11 November 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Response to Amendment

This is in response to the Amendment filed 14 January 2005.

Claim Objections

1. The objection to claims 17 and 33 because of minor informalities has been **withdrawn** in view of Applicants' Amendment.

Specification

2. The objection to the abstract because the abstract exceeded 150 words in length has been **withdrawn** in view of Applicants' Amendment.

Claim Rejections - 35 USC § 112

3. The rejection of claims 1-33 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention has been **withdrawn** in view of Applicants' Amendment.

Claim Rejections - 35 USC § 103

4. The rejection of claims 1-7, 10, 18-19, 25, and 27-33 under 35 U.S.C. 103(a) as being unpatentable over Yamase et al. (5,149,600), and further in view of Day et al. (4,197,187) has been **withdrawn** in view of Applicants' Amendment.
5. The rejection of claims 8, 9, 12-14, 21-23 and 26 under 35 U.S.C. 103(a) as being unpatentable over Yamase et al., and further in view of Day et al. as applied to claims 1 and 27

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above, and further in view of Hwang et al. (4,522,894) has been **withdrawn** in view of Applicants' Amendment.

6. The rejection of claims 11, 20 and 24 under 35 U.S.C. 103(a) as being unpatentable over Yamase et al., and further in view of Day et al. as applied to claim 1, 8 and 10 above, and further in view of Edlund et al. (6,383,670) has been **withdrawn** in view of Applicants' Amendment.

7. The rejection of claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamase et al., and further in view of Day et al as applied to claim 33 above, and further in view of EP 0214717 has been **withdrawn** in view of Applicants' Amendment.

EXAMINER'S AMENDMENT

8. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Scott Reese and Paula Morris on 18 February 2005.

The application has been amended as follows:

page 4, claim 34, line 8, "and hydrogen production remainder" has been deleted; and, page 9, before line 1, the following has been inserted,

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“82. (New) A method for treating hydrocarbonaceous feedstock to produce hydrogen, electricity, and one or more liquid hydrocarbon product, the method comprising:”;
and,

page 9, line 3, “hydroprocessed product” has been changed to --hydrotreated product comprising one or more liquid hydrocarbon product--.

Reasons for Allowance

9. The following is an examiner’s statement of reasons for allowance:

U.S. Patent Nos. 5,284,717 (YAMASE et al.) and 5,149,600 (YAMASE et al.) disclose a method for producing raw materials for a reformer by cracking and desulfurizing petroleum fuels and passing the product of the cracking and desulfurizing step to a steam reformer to produce a product gas comprising hydrogen, carbon monoxide and carbon dioxide, which passes to a shift reactor or a separation membrane before being passed to a fuel cell to generate electricity.

Hydrogen gas which has permeated through the separation membrane is fed to fuel electrode of fuel cell and gas (carbon dioxide) which has not permeated through separation membrane is utilized as heat source of reformer-furnace and the like. Further, a part of the gas (hydrogen gas) which has permeated through separation membrane is suited to use for desulfurizing reaction in desulfurizer because of high hydrogen partial pressure.

However, neither of the Yamase et al. references teach or suggest subjecting hydrocarbonaceous feedstock to hydrotreating hydrogen under hydrotreating conditions effective to produce a hydrotreating product comprising one or more liquid hydrocarbon products.

Accordingly, claims 34-98 are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas H. Parsons whose telephone number is (571) 272-1290. The examiner can normally be reached on M-F (7:00-4:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pat Ryan can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas H Parsons
Examiner
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PATRICK JOSEPH RYAN
SUPERVISORY PATENT EXAMINER